

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. CR-14-342-1-C
	)	
MAURICE MORLEE JOHNSON,	)	
	)	
Defendant.	)	

MEMORANDUM OPINION AND ORDER

Defendant has sent the Court a letter outlining several complaints about the restitution imposed as part of his sentence. The Court directs the Clerk to file the letter and informs Defendant that any request for relief should be filed with the Court Clerk and served on opposing counsel. It is inappropriate to correspond directly with a judicial officer.

Nevertheless, the Government has filed a response in objection and the Court will address the matter raised. Defendant complains that he was not present for the restitution hearing. Counsel for each Defendant in this and the related case was notified of the opportunity for their client to be heard on the issue of restitution. Defendant's counsel did not respond. Ultimately, the Court resolved the restitution issue without holding an evidentiary hearing. Even had a hearing been held and Defendant been present, his objection – a request to delay restitution payments until he was on supervised release – would have been denied.

Defendant also argues that the amount of payments withheld as part of the Bureau of Prisons financial responsibility program is excessive and requests the Court to reduce that amount. However, Defendant fails to offer any authority in support of his request. As

Plaintiff noted in its Response, Defendant failed to file an appeal and therefore his sentence is final. 18 U.S.C. § 3664(o). If he believes that a modification of his sentence is warranted pursuant to 18 U.S.C. § 3582(c) or that he is entitled to relief pursuant to 28 U.S.C. §2255, he must file a Motion supporting either claim for relief. Any Motion pursuant to § 2255 must be filed on the proper form.

Accordingly, Defendant's letter, construed as a request to modify the terms of his restitution payments (Dkt. No. 109), is DENIED.

IT IS SO ORDERED this 18th day of July 2019.

  
ROBIN J. CAUTHRON  
United States District Judge